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10/772,610	02/05/2004	Jeasung Jay Yoo	KOYOP101USA	5072

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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

MAILED

DEC 07 2006

GROUP 3700

Application Number: 10/772,610
Filing Date: February 05, 2004
Appellant(s): YOO, JEASUNG JAY

Himanshu S. Amin
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 10/05/06 appealing from the Office action
mailed 07/07/06.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

No evidence is relied upon by the examiner in the rejection of the claims under appeal.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 3, 5, 6 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Siegel (US 2,073,231).

In regard to claim 1, Siegel teaches a garment comprising an outer garment (20) with an inner pocket (figures 6, 11, 12, 15, 16). A vest/liner (22) formed to selectively be worn in one of alone and coupled to the outer garment (page 1, column 1, lines 6-15). The vest/liner (22) having an access slit (60) that facilitates access to the inner pocket (see pocket formed of lining 50 in figure 15) of the outer garment (20) when coupled to the outer garment (figure 6, identifier 60). Means for fastening (25,26, 27) and at least partially coupling the vest/liner (22) to the outer garment (20) such that the inner pocket (see pocket formed of lining 50 in figure 15) is accessible via the access slit (60) when the vest/liner (22) is coupled to the garment (page 2, column 2, lines 44-75 through page 3, column 1, lines 1-6).

In regard to claim 2, Siegel teaches the means for securing that facilitates secure storage of a personal item (figures 15, 16, see slit 53 in open and closed configurations).

In regard to claim 3, Siegel teaches the means for fastening comprising at least one of a zipper (25, 26, 27), a flexible hook and loop fastening system, a snap, a button and a hook and eye (figures 1 and 2).

In regard to claim 5, Siegel teaches the inner pocket (50) being further accessible from an outer surface of the outer garment via a semi-concealed slit (53).

In regard to claim 6, Siegel teaches the inner pocket material capable of being impervious to some blades, depending upon their sharpness and material construction (example: metal knife vs. plastic knife).

In regard to claim 9, Siegel teaches the pocket material capable of being heat sensitive to a degree.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegel in view of Jordan (US 2002/0189000).

Siegel teaches a garment with a pocket as described above in claim 1. However, Siegel fails to teach the garment having seven inner pockets or a plurality of inner

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pockets located symmetrically about a longitudinal axis about the center of the outer garment.

In regard to claim 4, Jordan teaches the inner pocket being further accessible from an outer surface of the outer garment via a concealed zipper (0026).

In regard to claim 11, Jordan teaches the plurality of inner pockets located symmetrically about a longitudinal axis at about the center of the outer garment (figure 2).

In regard to claim 12, Jordan teaches the garment having seven inner pockets (figure 2).

It would have been obvious to have provided the jacket with pockets of Siegel with the multiple inner pockets of Jordan and the closures, since the jacket of Siegel provided with a greater number of inner pockets would provide more places for the wearer to store items while not needed by the user and the closure means would provide securement to the items when stored inside the pockets.

5. Claims 7, 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegel in view of Anderson (US 3,055,133).

Siegel teaches a garment with pockets as described above in claim 1. However, Siegel fails to teach the pockets being made out of waterproof material, anti-magnetic material or a transparent material.

In regard to claim 7, Anderson teaches an inner pocket comprising a waterproof material due to it's plastic material construction (column 1, lines 25-35).

In regard to claim 8, Anderson teaches a pocket comprising a plastic material and it is capable of being anti-magnetic and insulating magnetically-sensitive items from magnetic fields depending upon the size and strength of the magnet.

In regard to claim 10, Anderson teaches the inner pocket comprising a transparent material for enabling viewing of at least a portion of pocket contents (column 1, lines 25-35).

It would have been obvious to have provided the jacket with pocket of Siegel with the plastic inner pocket of Anderson, since the plastic pocket provides not only the ability to see what is inside the pocket but also provide waterproof properties to the pocket so that water cannot penetrate through the pocket and wet the item stored.

6. Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegel in view of Lenart (US 5,468,152).

In regard to claim 27, Siegel teaches an outer garment comprising an inner pocket and a vest liner having an access slit that facilitates access to the inner pocket of the outer garment (figures 6, 11, 12, 15 and 16). The vest/liner can be at least partially coupled to the outer garment by means for fastening and the inner pocket is accessible via the access slit when the vest/liner is coupled to the outer garment (page 2, column 2, lines 44-75 through page 3 column 1, lines 1-6).

However, Siegel fails to teach a pocket map indicator that provides an indication of the contents of the pocket.

Lenart teaches a pocket map indicator that provides an indication of the contents of the pocket (column 2, lines 35-63).

In regard to claim 28, Lenart teaches the pocket map indicator comprising at least one of a color-coded map, an alphanumeric character map and a graphical indicator map (column 2, lines 35-63).

It would have been obvious to have provided the garment of Siegel having a pocket with vest/liner and access slit with the map indicator on pocket of Lenart, since the garment of Siegel provided a map indicator on the pocket would provide the user and onlookers the ability to be able to know what is located in the pocket.

(10) Response to Argument

Applicant argues that Siegel (2,073,231) fails to teach the vest/liner having an access slit that facilitates access to the inner pocket of the outer garment.

Examiner disagrees since Siegel teaches a slit on the vest/liner for access to the inner pocket of the outer garment.

To further explain how Siegel teaches a slit on the vest/liner for access to the inner pocket of the outer garment, the Examiner is going to clearly define all structural elements of Siegel that read on the claims limitations:

The outer garment: identifier 20

The outer garment inner pocket: identifier 50 (pocket formed between lining 50, see figures 15 and 16).

A vest/liner: identifier 22

Vest/liner access slit: identifier 60

Means for fastening: identifiers 25, 26, 27

The garment of Siegel allows a user to place their hand from outside the outer garment to the inner pocket or through the outer garment pocket opening and through vest/liner slit (60) to a sack coat pocket. This structure makes it possible for the user to place their hand from inside the liner/vest, through the vest/liner slit and into the pocket of the outer garment.

Sack coat: definition taken from:

<http://wordnet.princeton.edu/perl/webwn?s=sack%20coat>

A sack coat: definition taken from WordNet Search - 2.1

KEY: "S:" = Show Synset (semantic) relations, "W:" = Show Word (lexical) relations

Noun

- S: (n) **sack coat** (man's hiplength coat with a straight back; the jacket of a suit)

A sack coat is a jacket such as a suit jacket that would be worn under the outer garment of Siegel. Therefore, this proves that the garment of Siegel provides a slit from the outer garment to an interior pocket and/or through the vest/liner slit to access a pocket on a suit jacket of the wearer.

In page 1, column 1, lines 47-54; Siegel discloses that the pocket construction of the outer garment permits access to a sack coat worn on the user under the outer coat and vest/liner. The ability for the user to access the sack coat worn underneath the outer garment and the vest/liner requires that there is an opening in both the outer coat and the vest/liner. Between the outer garment's slit opening and the vest/liner slit is a

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pocket located in the outer garment. The pocket is accessible by a user from both the interior of the garment or the exterior of the garment and with or without the lining.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,


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Conferees:

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